

REMARKS

This amendment is in response to the Office Action mailed August 29, 2007. Claims 1, 10, 11, 20, 21, and 29 have been amended, claims 9, 19, 22, 23, and 26-28 have been canceled without prejudice, and claims 30 and 31 have been added. Claims 1, 5-8, 10, 11, 14-18, 20, 21, 24, 25, and 29-31 are presently pending. No new matter has been added.

The Applicants thank the Examiner for indicating that claims 28-29 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Applicants have amended claim 21 to include claim 28 and all of the intervening claims. The Applicants have also amended claims 1 and 11 to include the elements of claims 28 and associated claims.

§ 103 Rejections

Claims 1, 5-8, 11, 21-22, and 24 were rejected under 35 U.S.C. 103 (a) as being unpatentable over PCT Patent Application Publication No. WO 00/04707 to Ellis et al. ("Ellis") in view of U.S. Patent No. 6,785,901 to Horiwitz et al. ("Horiwitz"). Claims 9-10, 23 and 26-27 were rejected under 35 U.S.C. 103 (a) as being unpatentable over Ellis and Horiwitz and further in view of U.S. Patent Application Publication No. 2006/0059253 to Goodman et al. ("Goodman"). Claim 25 was rejected under 35 U.S.C. 103 (a) as being unpatentable over Ellis, Horiwitz and Goodman and further in view of U.S. Patent No. 6,944,585 to Pawson et al. ("Pawson"). Claims 11 and 14-18 were rejected under 35 U.S.C. 103 (a) as being unpatentable over Ellis, Horiwitz and further in view of Pawson. Claims 19-20 were rejected under 35 U.S.C. 103 (a) as being unpatentable over Ellis, Horiwitz, Pawson and Goodman. The Applicants traverse these rejections.

Claims 28-29 were indicated in the Office Action as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Office Action, p. 12. The Applicants have amended claim 21 to include claim 28 and all of the intervening claims. Accordingly, claim 21, as well as claims 24, 25, and 29 which depend therefrom, are patentable


over the cited references. The Applicants respectfully request withdrawal of the rejections of these claims.

Independent claims 1 and 11 have been amended to include the elements of claim 28 and associated claims. The Applicants respectfully submit that claims 1 and 11 are allowable for at least the same reasons as claim 28. Accordingly, claims 1 and 11, as well as claims 5-8, 10, 14-20, 30, and 31 which depend therefrom, are patentable over the cited references. The Applicants respectfully request withdrawal of the rejections of these claims.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. If the Examiner has any questions or concerns, the Applicant encourages the Examiner to contact the Applicant's representative, Bruce Black, by telephone to discuss the matter.

Dated: October 18, 2007

Respectfully submitted,

By 

Bruce E. Black

Registration No.: 41,622
DARBY & DARBY P.C.
P.O. Box 770
Church Street Station
New York, New York 10008-0770
(206) 262-8900
(212) 527-7701 (Fax)
Attorneys/Agents For Applicant